

REMARKS

Careful consideration has been given to the Official Action of June 5, 2007 and reconsideration of the application is respectfully requested on the basis of new claim 24, which replaces claim 5, and corresponding amendments of claims 1, 19, and 23.

Submitted herewith is a replacement drawing sheet of Fig. 1, in which proper cross-hatching of insulating material has been included and revised to illustrate the claimed invention in correspondence with the specification.

To overcome the Examiner's objection, the Abstract has been amended in compliance with MPEP 608.01(b).

Claims 1-2, 4-6, and 8-20 stand rejected under 35 USC 103(a) as being allegedly unpatentable over Rost (Patent No. 2,123,746) in view of Applicant's Own Admission of Prior Art (AOAPA) in 0.61mm for flexibility. However, original paragraph 0018 and original claim 6 make it clear that no AOAPA was intended and paragraph 0005 is amended above to delete any such suggestion.

Claims 21 stand rejected under 35 USC 103(a) as being allegedly unpatentable over Chase (Patent No. 1,370,731).

The claims have been amended to emphasize the flexibility features of the claimed invention.

Particularly, claim 1 has been amended to specify that the claimed invention is directed to a "low-tension electrical conductor). This is in accordance with IEC standard 60228 on page 1, line 30.

Claim 1 has also been amended to incorporate the features of claim 5, ie., that the conductor comprises wires having diameters of less than or equal to 0.61mm. Support for this amendment can be found for example in original claims 1 and 5, and at page 3, lines 4-15 of the application as originally filed. Claims 19 and 23 have been amended similarly.

Claim 5 has been canceled.

The term "communication cable" in claims 1 and 7 have been deleted.

The claims now presented are clearly patentable over the cited references as will be discussed hereafter.

Claim 1 is directed to a low-tension metallic electrical conductor disclosed on page 1, lines 8-9 and 30.

The technical problem addressed by Rost is insulating a high-tension cable.

In contrast, the claimed invention is directed to the problem of reducing the cross-section of a conventional low-tension cable while complying with the same requirement as

for conventional low-tension cables in accordance with IEC 60228 classes 2 and 5, as discussed on page 2, lines 1-9 of the application as filed.

This problem is solved by the claimed invention by arranging flexible multi-wires having diameters less than or equal to 0.61mm in accordance with a predetermined polygonal cross-section as claimed in claim 1, leading to even greater flexibility while at the same time reducing the diameter and weight compared with conventional low-tension cables.

It is noted that if the insulating layer is removed from each of the sector-shaped conductors, the wires included in that conductor will lose their sector shape. Therefore, the conductor not be installed in a conventional socket and plug having a circular cross-section.

On the other hand, high-tension conductors keep the sector shape even when the insulating layer is removed.

Claim 1 as now presented is directed to a super-flexible multi-wire cable in which the dimensions are reduced, such that the claimed low-tension cable is considerably more flexible than conventional low-tension cables and therefore much easier and quicker to install than conventional conductors having a circular cross-section.

Quicker and simpler installation leads to lower installation costs per meter of installed cable. Thanks to better workability, it is possible to accomplish installation with fewer people.

The question to be answered is whether there is any teaching in Rost as a whole that WOULD (not simply could, but would) have prompted a skilled person, faced with the objective technical problem, to modify or adapt the closest prior art while taking account of that teaching, thereby arriving at something falling within the terms of the claims, and thus achieving what the invention achieves (see *Teleflex & KSR*, teaching, suggestion or motivation to modify or combine the prior art in the manner claimed).

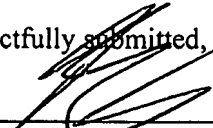
In other words, the point is not whether a skilled person could have arrived at the invention in the hope of solving the objective technical problem or in the expectation of some improvement or advantage by adapting or modifying the closest prior art, but whether he WOULD HAVE DONE so because the prior art encouraged him to do so (see *Ex parte Kusko* 215 USPQ "...addressed to the appropriate question under Section 103 of whether the artisan *would* have found it obvious to combine the references in the manner necessary to meet the claims").

Rost is specifically directed to an improved insulation for high-tension cables, and clearly does not teach or suggest a flexible cable or a conductor having wires with a diameter of less than 0.61 mm, a requirement for the cable to be considered flexible. Rost's high-tension cable specifically teaches away from a cable having any flexibility, and one skilled in the art faced simply would not look to the high-tension cable of Rost in developing a flexible multi-wire metallic conductor. Therefore, there is no motivation to combine Rost and no AOAPA to be combined.

Chase, like Rost, is also not directed to a flexible conductor. Chase is directed to a cable for high-voltage power work, and one skilled in the art would not look to such cable in developing a flexible multi-wire metallic conductor. Therefore, there is no motivation to combine Chase and no AOAPA to be combined

In view of the above action and comments, favorable reconsideration of the application as amended is earnestly solicited.

Respectfully submitted,



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